

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

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QUESTIONNAIRE FOR PRISONERS PROCEEDING

PRO SE UNDER 42 U.S.C. §1983

U.S. DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON, GEORGIA

David D. Cassidy
#434646

(GIVE FULL NAME AND PRISON NUMBER OF EACH PLAINTIFF)

Plaintiff(s)

VS.

CIVIL ACTION NO.

Steven D. Hall

(NAME OF EACH DEFENDANT)

Defendant(s)

I. GENERAL INFORMATION

1. Your full name and prison number David Duwayne Cassidy #434646
2. Name and location of prison where you are now confined Johnson State Prison
P.O. Box 344, Wrightsville, GA 31096
3. Sentence you are now serving (how long?) life
 - (a) What were you convicted of? Kidnapping w/ bodily injury, False imprisonment, sodomy, Impersonating an officer
 - (b) Name and location of court which imposed sentence Spalding County
 - (c) When was sentence imposed? Oct 1992
 - (d) Did you appeal your sentence and/or conviction? ☐ Yes ☒ No
 - (e) What was the result of your appeal? N/A
 - (f) Approximate date your sentence will be completed June 22, 2015

II. PREVIOUS LAWSUITS

4. Other than the appeal of your conviction or sentence, have you ever submitted a lawsuit for filing in any federal or state court dealing with the SAME FACTS involved in this lawsuit or otherwise related to your imprisonment? ☒ Yes ☐ No

5. If your answer to question 4. is "Yes," list that lawsuit below, giving the following information: (IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH)

(a) Parties to the previous lawsuit:

Plaintiff(s): David Duane Cassady

Defendant(s): Owens etc Al. Hemrick, Donald, Walker,

(b) Name of Court: middle + Southern District, Savannah + Augusta

(c) Docket Number: CV-4:08-250 When did you file this lawsuit? 2008, 2009

(d) Name of judge assigned to case: more savannah, Hall Augusta

(e) Is this case still pending ☒ Yes ☐ No

(f) If your answer to (e) is "No," when was it disposed of and what were the results?
(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?)

N/A

III. PRESENT CONFINEMENT

6. Where are you now confined? Johnson State Prison

(a) How long have you been at this institution? 3 months

(b) Does this institution have a grievance procedure? ☒ Yes ☐ No

(c) If your answer to question 6(b) is "Yes," answer the following:

(1) Did you present your complaint(s) herein to the institution as a grievance?
☒ Yes ☐ No

(2) What was the result? see complaint, p. 2 # 5, 6, + 7.

(d) What, if anything, have you done to bring your complaint(s) to the attention of prison officials? Give dates and places and the names of persons talked to.

Internal Affairs Investigator Wolf, Aug. 31, 2012
" " " " Oct. 31, 2013

7. In what other institutions have you been confined? Give dates of entry and exit.

Valdosta 1993-95, GSP 1995-96, Alto 1996, Phillips 1996,
Rutledge 1997, Coastal 2000-01, Central 2001-02, Rutledge
2002-03, Johnson 2003-04, Autry 2004, Valdosta
2004, Central 2004-2006, Baldwin 2006-07, Rutledge
2007-08, Coastal 2008, Augusta 2009-10, GDCP 2010-12, GSP 2012-2013.

IV. PARTIES TO THIS LAWSUIT

8. List the name and address of each plaintiff in this lawsuit.

David Wayne Cassidy #434646
Johnson State Prison
P.O. Box 344
Wrightsville, GA 31096

9. List the full name, the official position, and the place of employment of each defendant in this lawsuit. (ATTACH ADDITIONAL PAGES IF NECESSARY)

Steven Douglas Hall, Correctional Officer
GA Diagnostic & Classification Prison
P.O. Box 3877
Jackson, GA 30233

* last known address

V. STATEMENT OF CLAIM

10. In the space hereafter provided, and on separate sheets of paper, if necessary, set forth your claims and contentions against the defendant(s) you have named herein. Tell the court WHAT you contend happened to you, WHEN the incident(s) you complain about occurred, WHERE the incident(s) took place, HOW your constitutional rights were violated, and WHO violated them? Describe how each defendant was involved, including the names of other persons who were also involved. If you have more than one claim, number and set forth each claim SEPARATELY.

Do not give any legal argument or cite any cases or statutes at this time; if such is needed at a later time, the court will advise you of this and will afford you sufficient time to make such arguments. KEEP IN MIND THAT RULE 8 OF THE *FEDERAL RULES OF CIVIL PROCEDURE* REQUIRES THAT PLEADINGS BE SIMPLE, CONCISE, AND DIRECT! If the court needs additional information from you, you will be notified.

STATEMENT OF CLAIM (CONTINUED)

Where did the incident you are complaining about occur? That is, at what institution or institutions? GA Diagnostic & Classification Prison

When do you allege this incident took place? Oct 2010 - July 2012

What happened? PLEASE SEE COMPLAINT p. 3-15

11. List the name and address of every person you believe was a witness to the incident(s) you complain about, BRIEFLY stating what you believe each person knows from having seen or heard what happened. (USE ADDITIONAL SHEETS, IF NECESSARY)

Please see Complaint, p. 10 # 48

12. BRIEFLY state exactly what you want the court to do for you. That is, what kind of relief are you seeking in this lawsuit? Do not make any legal arguments and do not cite any cases or statutes! (USE ADDITIONAL SHEETS, IF NECESSARY)

Please see Complaint p. 14 + 15

13. You may attach additional pages if you wish to make any legal argument. However, legal arguments are NOT required in order for you to obtain relief under §1983. If the court desires legal argument from you, it will request it. If any defendant presents a legal argument, you will be afforded an opportunity to respond thereto.

14. KEEP IN MIND THAT ONCE YOUR LAWSUIT IS FILED, THE COURT WILL REQUIRE YOU TO DILIGENTLY PROSECUTE IT. That means that you will be required to go forward with your case without delay. Thus, if you fail to adequately prepare your case before you file it, you may find your lawsuit dismissed for failure to prosecute if you take no action once it is filed. YOU WILL RECEIVE NO FURTHER INSTRUCTIONS FROM THE COURT TELLING YOU WHAT TO DO OR HOW TO DO IT! IT IS YOUR RESPONSIBILITY AND YOURS ALONE TO PROSECUTE YOUR OWN CASE! If you fail to prosecute your case, it will be dismissed under Rule 41 of the *Federal Rules of Civil Procedure*.

Signed this 14 day of January, 2014.

Daniel D. Corry
PLAINTIFF